

IN THE CLAIMS

Please cancel claims 1-15, 34, 36, 37 and 44, without prejudice. Please amend the remaining claims as follows, substituting any amended claim(s) for the corresponding pending claim(s):

16. (Currently Amended) A vending method for determining whether a product is delivered, the method comprising the steps of:

 sending a delivery signal to a product delivery system based on a customer-ordering event;
 monitoring a delivery path that the ordered product travels to reach a product receiving location with a monitoring system located along the delivery path for detecting when the product passes through the delivery path, the monitoring system optically scanning the delivery path for the product transition using a plurality of discrete light beams each emitted by one of a plurality of light emitters and detected by at least one of a corresponding plurality of light detectors; and
 determining if the product was delivered to the receiving location.

17. (Currently Amended) The method of claim 16 wherein the monitoring further comprises the steps of:

transmitting a ~~signal~~ light beam from ~~one or more signal emitting devices~~ each of the plurality of light emitters;

monitoring to receive the ~~signal~~ light beam at ~~one or more signal detection devices~~ each of the corresponding light detectors; and

determining whether an interruption of ~~the signal~~ any of the light beams occurred.

18. (Currently Amended) The method of claim 17 wherein the step of transmitting the ~~signal~~ light beam further comprises the steps of:

activating ~~the one or more signal emitting device~~ each of the light emitters in a sequential series; and

activating the corresponding ~~one or more signal detection device in the sequential series~~ corresponding to light detectors concurrently with the activated ~~corresponding~~ light emitter.

19. (Currently Amended) The method of claim 16 wherein the step of monitoring comprises of using an infrared signal.

20. (Currently Amended) The method of claim 16 further comprising the steps of:
- attempting a redelivery of the product ~~at least a~~ one or more predetermined number of attempts, wherein a first attempt to deliver ~~of~~ the product failed; and
- providing the customer ~~a~~ one or more alternative choices if the redelivery attempt of the product failed after the one or more predetermined number of attempts.
21. (Currently Amended) The method of claim 20 wherein the step of providing the customer with an alternative choice further comprises the steps of:
- providing the customer alternatively with a first choice to request a second product; and
- providing the customer alternatively with a second choice to request a refund ~~of the original~~ customer order associated with the customer ordering event.
22. (Currently Amended) The method of claim 16 wherein the step of sending a delivery signal ~~comprising~~ comprises the step of activating the monitoring system to monitor the delivery path.
23. (Currently Amended) The method of claim 22 further comprising the step of deactivating the monitoring ~~system's~~ at the conclusion of the customer ~~order~~ ordering event.

24. (Currently Amended) A vending machine method to deliver a product, the method comprising the steps of:

determining that a product ordered by a customer was not delivered;

counting the number of failed attempts to deliver ~~that~~ the product ordered by the customer ~~was ordered and not delivered~~; and

taking an action based on the number of attempts that the product was ordered by the customer but not delivered.

25. (Currently Amended) The method of claim 24, wherein the step of taking an action step further comprises the ~~step~~ steps of selectively preventing other orders from occurring for the product until a predetermined event ~~for a predetermined time~~ when the number of attempts reaches a predetermined number and selectively disabling a monitoring system until a predetermined event when the number of attempts reaches a predetermined number.

26. (Currently Amended) The method of claim 24, wherein the step of taking an action step further comprises the step of offering a second product alternative; ~~only~~.

27. (Currently Amended) The method of claim 25 further comprising the step of re-enabling the vending machine to accept other orders after ~~the~~ a predetermined time has lapsed.

28. (Currently Amended) The method of claim 25 wherein the step of determining step further comprises:

 sending a delivery signal to a product delivery system based on a customer-ordering event;
 monitoring a delivery path that the ordered product travels to reach a product receiving location; and
 determining if the product was delivered to the receiving location.

29. (Original) The method of claim 28 wherein the step of monitoring further comprises the step of optically monitoring using an infrared signal.

35. (Currently Amended) The method of claim 18 wherein the ~~one or more signal detection device comprises: a detection device~~ the plurality of light detectors are each aligned with a corresponding signal emitting device; light emitter, and wherein light beams emitted by each of the light emitters are detected by the aligned light detector and by at least one of two detection devices light detectors adjacent to the detection device aligned with the corresponding signal emitting device light detector.

38. (Original) The method of Claim 20, the method further comprising the steps of:
 storing data associated with the customer ordering event and redelivery attempts.

39. (Original) The method of Claim 24, the method further comprising the steps of:
storing data associated with the steps of determining, counting, and taking.
40. (Original) The method of Claim 24 wherein the action based on the number of attempts
comprises preventing delivery of the product ordered by the customer.
41. (Original) The method of Claim 24 wherein the action based on the number of attempts
comprises preventing delivery of a set of products.
42. (Original) The method of Claim 24 wherein the action based on the number of attempts
comprises offering a refund of the purchase price of the product ordered by the customer.
43. (Original) The method of Claim 24 wherein the action based on the number of attempts
comprises selectively preventing delivery of one or more products until an action is taken by a
service person and selectively disabling a monitoring system until an action is taken by a service
person.